

UNITED STATES DISTRICT COURT  
for the  
District of Nebraska

## United States of America

V.

James Pettry

1

Case No: 8:14CR225

USM No: 26667-047

David R. Stickman

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*Defendant's Attorney*

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of **months is reduced to** .

*(Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment dated 05/18/2015 shall remain in effect.

## IT IS SO ORDERED.

Order Date: 02/08/2016

Effective Date: \_\_\_\_\_  
(if different from order date)

*Doris Sitt Case*

Judge's signature

Laurie Smith Camp, Chief U.S. District Judge

*Printed name and title*

**This page contains information that should not be filed in court unless under seal.  
(Not for Public Disclosure)**

James Petry

DEFENDANT: \_\_\_\_\_

CASE NUMBER: 8:14CR225

DISTRICT: District of Nebraska

**I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)**

Previous Total Offense Level: \_\_\_\_\_ Amended Total Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_ Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

**II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- The reduced sentence is above the amended guideline range.

**III. ADDITIONAL COMMENTS**

Because the Defendant was sentenced after the amendment to the drug guidelines was in effect and the U.S. Probation Office has confirmed that the 2014 Guideline Manual was used in calculating his offense level, the Defendant's pro se Motion to Reduce Sentence - USSC Amendment (Filing Nos. 232) is denied; and the Federal Public Defender's Motion to Withdraw (Filing No. 235) is granted.